

REGULAR MEETING

July 10, 1995

The Regular Meeting of the Annapolis City Council was held on July 10, 1995 in the Council Chamber. Mayor Hopkins called the meeting to order at 7:00 p.m. Mayor Hopkins offered the invocation followed by the Pledge of Allegiance.

Present on Roll Call: Mayor Hopkins, Aldermen Hammond, Johnson, Gilmer, Tullier, Snowden, Turner, DeGraff

Staff Present: City Attorney Goetzke, Planning and Zoning Director Fogarty, Public Works Director Patmore, Transportation Director Chase

Alderman Snowden moved to approve the Minutes of June 12, June 21 and June 26, 1995. Seconded. CARRIED on voice vote.

Alderman Snowden moved to approve and open to the public the Closed Minutes of June 12 and 21, 1995. Seconded. CARRIED on voice vote.

PETITIONS, REPORTS AND COMMUNICATIONS

1. Michael Van Buren
920 Berwick Drive
Annapolis, Md. 21403

Spoke in opposition to Ordinance O-10-95.

2. Frederick C. Sussman, Esquire
Attorney for Michael Van Buren

Spoke in opposition to Ordinance O-10-95.

3. Maria Coughlin
920 Berwick Drive
Annapolis, Md. 21403

Spoke in opposition to Ordinance O-10-95.

4. Robert Wiggans, President
Ambridge Homeowners Association
938 Langdon Court
Annapolis, Md. 21403

Spoke in support of Ordinance O-10-95.

5. Peter Catson
111 Janwall Street
Annapolis, Md. 21403

Spoke in support of Ordinance O-10-95.

6. Alfred Genola
942 Langdon Court
Annapolis, Md. 21403

Spoke in support of Ordinance O-10-95.

7. Melissa Hall
 113 Janwall Street
 Annapolis, Md. 21403

 Spoke in support of Ordinance O-10-95.
8. Lawrence K. Adams
 944 Langdon Court
 Annapolis, Md. 21403

 Spoke in support of Ordinance O-10-95.
9. Earl Kautz
 937 Langdon Court
 Annapolis, Md. 21403

 Spoke regarding Ordinance O-10-95.
10. Neil Young
 919 Langdon Court
 Annapolis, Md. 21403

 Spoke in support of Ordinance O-10-95.
11. Fred Henderson
 939 Langdon Court
 Annapolis, Md. 21403

 Spoke in support of Ordinance O-10-95.
12. Jim Vance
 96 East Street
 Annapolis, Md. 21401

 Spoke regarding Ordinances O-34-95 and O-35-95.
13. Brian Miller
 114 Market Street
 Annapolis, Md. 21401

 Spoke regarding Ordinances O-34-95 and O-35-95.
14. John Hammond
 141 Monticello Avenue
 Annapolis, Md. 21401

 Spoke regarding Ordinances O-34-95 and O-35-95.
15. Gilbert Renault, President
 Ward One Residents Association
 115 Monticello Avenue
 Annapolis, Md. 21401

 Spoke regarding Ordinances O-34-95 and O-35-95.

ACTION ON APPLICATIONS AND APPEALS

R-32-95 For the purpose of approving the application of Portland Lobster, Inc. for a conditional use to establish a warehousing, storage, wholesale/retail sales, and distribution facility for live lobsters located at 1932-G Lincoln Drive in the City of Annapolis, subject to certain conditions; and all matters relating to said conditional use.

Alderman Snowden moved to approve R-32-95. Seconded. A ROLL CALL vote was taken:

YEAS: Mayor Hopkins, Aldermen Hammond, Johnson, Gilmer, Tullier, Snowden, Turner, DeGraff

CARRIED: 8-0

LEGISLATIVE ACTION

CHARTER AMENDMENTS

CA-3-95 Sponsored by Mayor Hopkins

For the purpose of amending the Charter of the City of Annapolis to change the name of the Department of Public Transportation to Department of Parking and Transportation; revise certain duties; and all matters related to said Department.

Alderman Snowden moved to adopt CA-3-95 on first reading. Seconded. CARRIED on voice vote.

Referred to the Rules Committee.

ORDINANCES

O-8-95 Sponsored by Mayor Hopkins

For the purpose of increasing the fine for vehicles parking or standing for longer than forty-eight hours in certain prohibited areas; and all matters relating to said fine.

Alderman Snowden moved to substitute O-8-95 Revised for O-8-95. Seconded. CARRIED on voice vote.

Alderman DeGraff moved to adopt O-8-95 Revised on second reading. Seconded. CARRIED on voice vote.

Alderman DeGraff moved to adopt O-8-95 Revised on third reading. Seconded. CARRIED on voice vote.

O-10-95 Sponsored by Alderman Turner
Revised

For the purpose of releasing and reconveying, by Release of Easement, a certain walkway easement established on the plats entitled "Ambridge, Plat 1, 2 and 3" in the City of Annapolis; and all matters relating to said Release of Easement.

The Rules Committee reported favorably as revised on O-10-95.
The Finance Committee made no recommendation on O-10-95.

Alderman Turner moved to substitute O-10-95 Revised for O-10-95. Seconded. CARRIED on voice vote.

Alderman DeGraff moved to adopt O-10-95 Revised on second reading. Seconded. CARRIED on voice vote.

Alderman DeGraff moved to adopt O-10-95 Revised on third reading. Seconded. A ROLL CALL vote was taken:

YEAS: Mayor Hopkins, Aldermen Johnson, Tullier, Snowden, Turner, DeGraff

NAYS: Aldermen Hammond, Gilmer

CARRIED: 6-2

O-33-95 Sponsored by Mayor Hopkins

For the purpose of authorizing the conveyance of the City's right, title and interest, if any, in and to Lots 6R and 7R of the "Minor Subdivision Plat of Revised Plat Gilmer Development" dated January 1995; providing for the property to be sold at private sale; and all matters relating to said conveyance.

Alderman Snowden moved to adopt O-33-95 on first reading. Seconded. CARRIED on voice vote.

Referred to the Finance and Rules Committees.

O-34-95 Sponsored by Mayor Hopkins, Aldermen Tullier, Snowden, DeGraff, Moyer

For the purpose of revising and amending certain regulations regarding restaurants in the conservation district; eliminating requirements that certain restaurants in the conservation district close at midnight; clarifying Sections 21.48.090 and 21.52.030; and all matters relating to said regulations.

Alderman Snowden moved to adopt O-34-95 on first reading. Seconded. CARRIED on voice vote.

Referred to the Planning Commission and Rules Committee.

O-35-95 Sponsored by Alderman Moyer

For the purpose of revising restrictions regarding restaurants serving alcoholic beverages in the conservation districts; and all matters relating to said restrictions.

Alderman Snowden moved to adopt O-35-95 on first reading. Seconded. CARRIED on voice vote.

Referred to the Planning Commission and Rules Committee.

O-36-95 Sponsored by Mayor Hopkins

For the purpose of changing the name of the Department of Public Transportation to Department of Parking and Transportation; revising the duties of the Director; changing the Director's title under exempt service; and all matters relating to said Department.

Alderman Turner moved to adopt O-36-95 on first reading. Seconded.
CARRIED on voice vote.

Referred to the Rules Committee.

O-37-95 Sponsored by Mayor Hopkins

For the purpose of transferring the issuing authority for Special Residential Parking Permits to the Director of Transportation; deleting the fee for a replacement permit; and all matters relating to said special residential parking districts.

Alderman Turner moved to adopt O-37-95 on first reading. Seconded.
CARRIED on voice vote.

Referred to the Rules Committee.

O-38-95 Sponsored by Alderman Turner

For the purpose of revising the procedure for the suspension and revocation of certain rental unit and roominghouse licenses; deleting the revocation hearing before the director of public works; establishing an appeals process; and all matters relating to said appeals procedure.

Alderman Turner moved to adopt O-38-95 on first reading. Seconded.
CARRIED on voice vote.

Referred to the Rules Committee.

O-39-95 Sponsored by Aldermen Hammond, Johnson, Turner

For the purpose of authorizing the installation and operation of sidewalk cafes as a conditional use on certain City sidewalks under certain terms and conditions; revising open container provisions to allow possession and consumption of alcoholic beverages on sidewalk cafes; and all matters relating to said sidewalk cafes.

Alderman Turner moved to adopt O-39-95 on first reading. Seconded.
CARRIED on voice vote.

Referred to the Rules Committee and Planning Commission.

RESOLUTIONS

R-29-95 For the purpose of extending for a certain period of time the conditional use authorization granted pursuant to Resolution R-41-92 Amended and extended by R-33-93 and R-18-94. (Kinder Associates)

Alderman Snowden moved to adopt R-29-95. Seconded. CARRIED on voice vote.

R-33-95 For the purpose of making a technical amendment to Resolution R-1-94 Amended, which granted a conditional use to Forest Drive Development Corporation to establish a planned unit development of 162 residential units located at Yawl Road near Skipjack Court, known as Oxford Landing, Section III (the "Project") in the City of Annapolis, in order to allow building permits to be issued for Phase II of the Project prior to completion of certain road improvements; and all matters relating to said R-1-94 Amended.

Alderman Snowden moved to adopt R-33-95. Seconded. CARRIED on voice vote.

R-34-95 For the purpose of bestowing upon Annapolis the title "America's Sailing Capital"; and all matters relating to said title.

Alderman Snowden moved to adopt R-34-95. Seconded. CARRIED on voice vote.

R-35-95 For the purpose of commending and recognizing the City of Mound Bayou, Mississippi; and all matters relating to said City.

Alderman Snowden moved to adopt R-35-95. Seconded. CARRIED on voice vote.

BUSINESS AND MISCELLANEOUS

1. Collective Bargaining Agreements

Alderman DeGraff moved to approve the Memorandum of Understanding between the City of Annapolis and:

- (a) United Food and Commercial Workers Union, Local 400, AFL-CIO;
- (b) Local 3162, Maryland Public Employees Council 67, AFSCME;
- (c) Local 3406, Maryland Public Employees Council 67, AFSCME; and
- (d) Local 1926, International Association of Firefighters, AFL-CIO.

Seconded. A ROLL CALL vote was taken:

YEAS: Mayor Hopkins, Aldermen Johnson, Gilmer, Tullier, Snowden, Turner, DeGraff
ABSTAIN: Alderman Hammond
CARRIED: 7-0-1

2. Water Service Request - 500 Wilson Road

Alderman Snowden moved to approve the request for water service at 500 Wilson Road as set forth in a letter with attachments dated 6/14/95 to Mr. John Patmore from Graham D. Gutsche. Seconded. CARRIED on voice vote.

3. Southern Maryland Oil Contract

Alderman Snowden moved to approve the Lease Agreement between Southern Maryland Oil, Inc. and the Mayor and City Council of Annapolis. Seconded. CARRIED on voice vote.

4. Housing and Community Development Committee Minutes of 6/28/95

Alderman Turner moved to approve the Housing and Community Development Committee Minutes of 6/28/95. Seconded. CARRIED on voice vote.

5. Economic Matters Committee Minutes of 5/25/95

Alderman Snowden moved to approve the Economic Matters Committee Minutes of 5/25/95. Seconded. CARRIED on voice vote.

6. Finance Committee Minutes of 6/29/95 and 7/6/95

Alderman Snowden moved to approve the Finance Committee Minutes of 6/29/95 and 7/6/95. Seconded. CARRIED on voice vote.

7. Payment of monthly bills

Alderman Snowden moved to pay the monthly bills. Seconded. CARRIED on voice vote.

8. Appointments

Alderman Snowden moved to confirm the Mayor's appointments of the following named persons as set forth in Memoranda from Mayor Alfred A. Hopkins dated 7/3/95, 7/5/95 and 7/7/95:

Building Board of Appeals: Wilson H. Phipps

Civil Service Board: Arie Lee Pace

Historic District Commission: Donna M. Ware
Harrison S. Sayre

Housing and Community
Development Committee: Carol Gerson

Seconded. CARRIED on voice vote.

9. Maryland Municipal League Report

City Administrator Mallinoff reported on the Annual Educational Conference.

Upon motion duly made, seconded and adopted, the meeting was adjourned at 9:40 p.m.

**Patricia L. Bembe, CMC/AAE
City Clerk**